

PETER VERNIERO
ATTORNEY GENERAL

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WITH THE
N.J. BOARD OF DENTISTRY
ON 6-3-98 cm

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of	:	
	:	Administrative Action
DONALD BERSHTEIN, D.D.S..	:	
	:	
Licensed to Practice Dentistry:	:	CONSENT ORDER
in the State of New Jersey	:	
	:	

This matter was opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon receipt of a patient complaint from D.C. and E.C. The complaint alleged that Donald Bershtein, D.D.S. (hereinafter "respondent") rendered dental treatment to D.C. and E.C. which failed to conform to standard dental practice in the State of New Jersey. Specifically, D.C. and E.C. alleged that respondent did not render proper dental treatment in that he provided dentures which did not fit properly and were painful to wear. On October 22, 1997, respondent appeared with his counsel John McKeon, Esq. at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including an expert's reports, and having heard the testimony of respondent at the investigative inquiry, it appears to the Board that respondent failed to render adequate dental treatment to D.C. and E.C., and

the dental treatment failed to conform to standard dental practice in the State of New Jersey, constituting a violation pursuant to N.J.S.A. 45:1-21 (e).

It appearing that respondent, without admitting or denying the above, desires to resolve this matter without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 3rd DAY OF June 1998,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall successfully complete the following continuing education: twenty-one (21) hours in basic periodontics, and twenty-one (21) hours in removable partial dentures. These courses shall be completed within nine months of the entry of the within Consent Order. These courses, which are in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance, utilizing the attached Pre-Approval sheet. Respondent also shall be required to complete the attached continuing education Report and Proof of Attendance as proof of successful completion of the required course work. The attached forms are made a part of the within Consent Order, and a separate form is to be used for each course.

2. Respondent shall forgive the balance of \$465.00 for D.C. and \$1,412.00 for E.C.

3. Respondent shall pay civil penalties in the amount of \$1,000.00 for poor record keeping, \$1,000.00 for failure to treat periodontal disease, and \$2,500.00 for submitting an insurance form which did not reflect the services rendered. The total of

\$4,500.00 shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than fourteen days from the entry of the within Consent Order. Payment shall be sent within fourteen days of the entry date of this Consent Order to Ms. Agnes Clarke, Executive Director, State Board of Dentistry, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102.

4. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$107.21. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than fourteen days from the entry of the within Consent Order. Payment shall be sent to Ms. Agnes Clarke, Executive Director, at the address stated in paragraph three.

NEW JERSEY STATE BOARD OF DENTISTRY


Valentine Bloch, D.D.S.
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Donald Bershtein, D.D.S.